

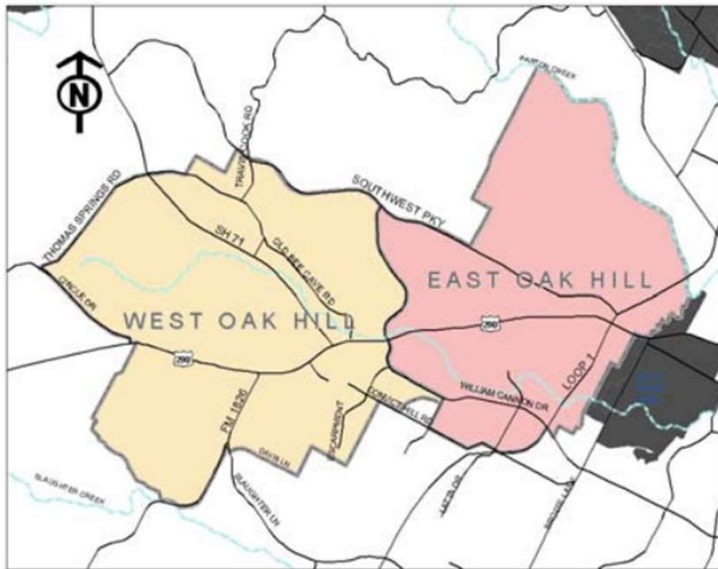
Sunset Ridge – Agenda Item #22

Commission Meeting Presentation

July 23, 2024

Jason Svatek

Surrounding Neighborhoods and Organizations Oppose



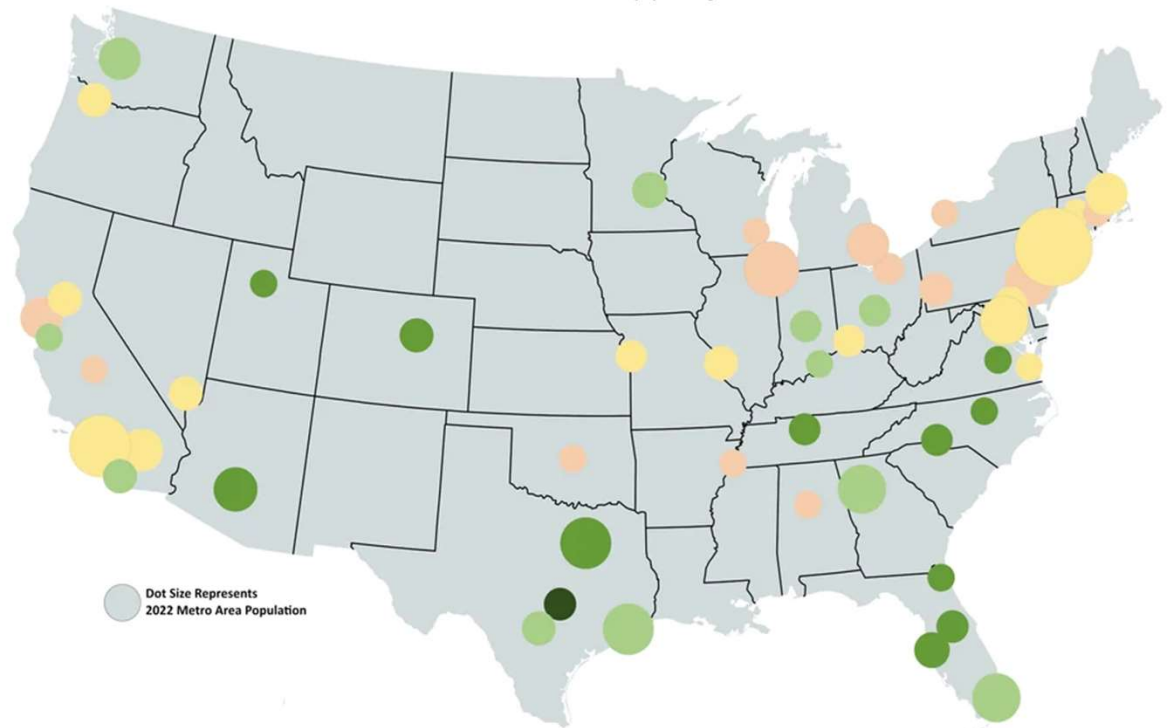
- Land parcel included in the Oak Hill Combined Neighborhood Plan as a commercial development
- Applicant request to the Restrictive Covenants is not in line with the Oak Hill Neighborhood Plan
- Area residents are supportive of Affordable Housing, but oppose any development of this current size, scope and density in this Environmentally Sensitive Area. There needs to be a better balance between development and preserving the environment.
- All Surrounding HOAs and entities that oppose the development in its current form include:
 - Oak Hill Association of Neighborhoods (OHAN)
 - Travis Country West HOA
 - Barton Creek Southwest HOA
 - Lantana HOA
 - Escondora HOA
 - Escala HOA
 - Save Our Springs (SOS) Alliance

A Petition opposing the proposed development has been signed by 85+% of residents within 200 feet

Apartments Unlocked

American Cities Building the Most New Housing Density

Number of Multi-family units Planned per 1000 Inhabitants in 2023 Measured by Metro Area
Based on a 2023 US Census survey of Building Permits



Source: www.census.gov/construction/bps/index

- Austin #1 market for MFR in 2023
 - #2 in 2024, #3 in 2022

- Vacancy rate of 14.1% (also #1 in the country) (<https://www.apartments.com/blog/10-cities-with-the-highest-vacancy-rates-and-what-it-means-for-renters>)

- Net Negative Migration

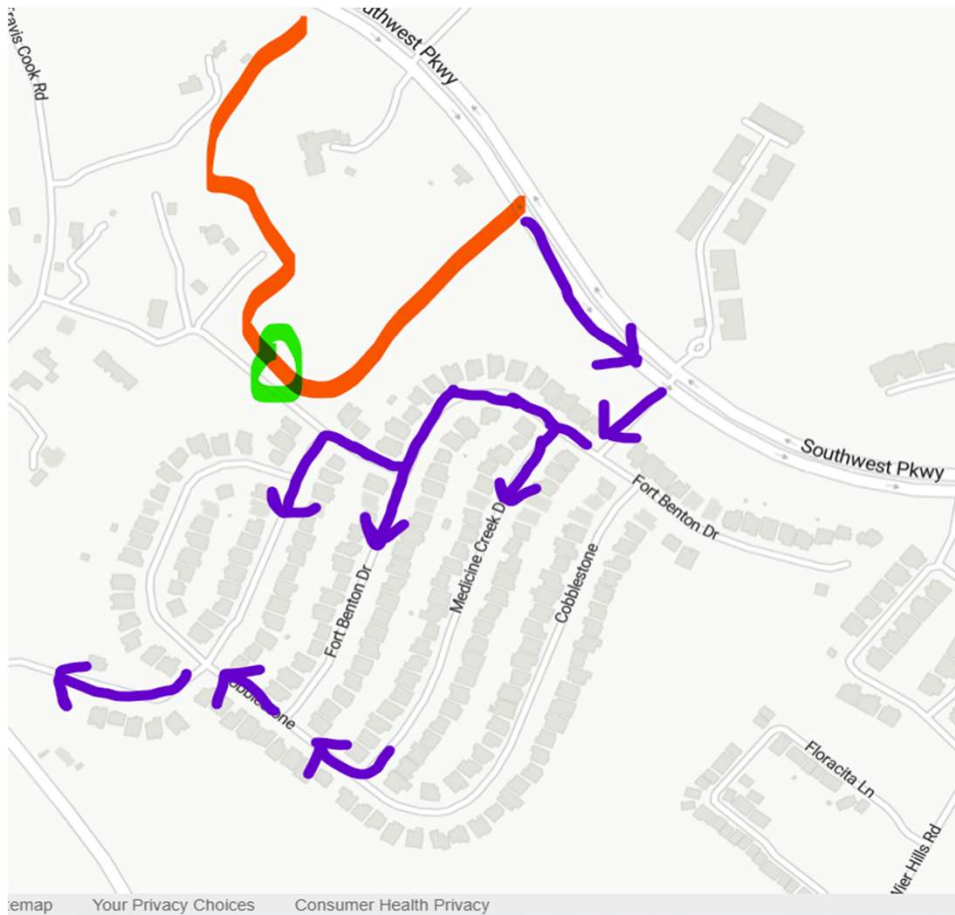
- Program Allowances

- No changes to impervious cover
<https://services.austintexas.gov/edims/document.cfm?id=314373>

- Regulations

- §25-2-518 (D) (1) - maintain the side setbacks of the base zoning
- § 25-2-534 (E) (1) - base zoning district height multiplied by 1.25

Incursion of Sunset Ridge Residents on Travis County West



- Proposed site plan indicates vehicular access to Sunset Ridge will be prohibited except for emergency access
- **Pedestrian access is not explicitly prohibited**
- A 440+ unit development will result in ~**1,300+ additional pedestrians trespassing** on Travis County West green spaces, amenity center, playscapes, & trails
- Travis County West residents pay HOA dues to maintain these amenities, they are not publicly funded parks
- Limited road shoulders and narrow roadways pose an unacceptable pedestrian safety risk and incursion into an established community
- **Development should be reduced in scope and REQUIRE private parkland, not a “fee-in-lieu”**
- **Should require perimeter fencing and crash gate prohibiting pedestrian access to private land**

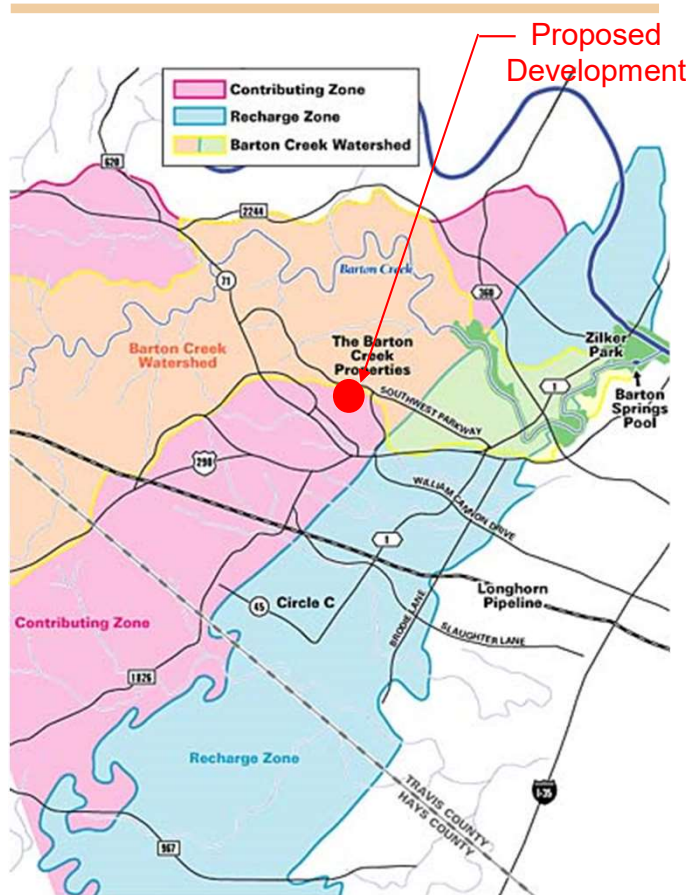
A litany of other issues

- Lack of public transit, sidewalks, or suitable roadways
- Overburdening of Oak Hill Elementary, already the lowest performing, highest % minority, highest % of poverty student population of ANY elementary school in District 8.
- Environmental concerns with known spring, karst formation, protected trees, and documented endangered species
- All nearby, comparable developments comply with existing code and ordinances... they made the math work. Why does this one get to bend all the rules? Perhaps we need a new developer...
 - Hill Country Roadway requirements – modified
 - Impervious Cover Code – waived
 - Traffic Study requirements – waived
 - Heritage Tree Removal Code – no notice of public hearing
 - Parkland Requirements– fee in lieu

VOTE NO to the Site Plan in this current state. It must be reduced in Size, Scope, and Density to be something all of Austin can appreciate and endorse

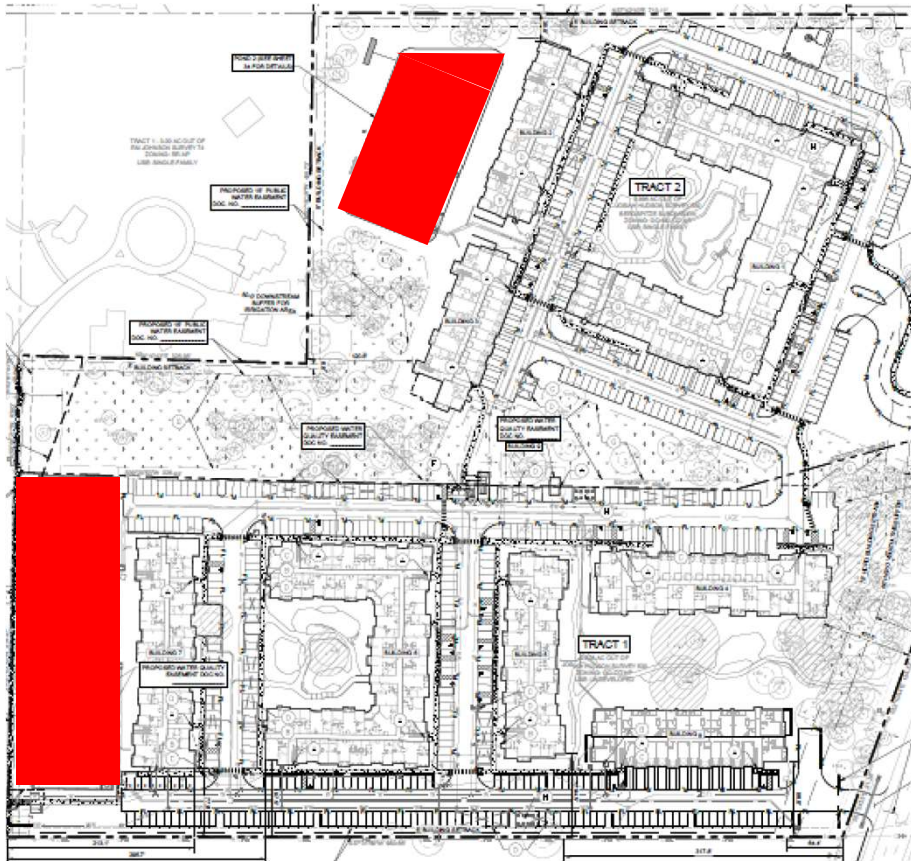
Edward Wiles Jr.

Site Plan Must Comply with 25% Impervious Cover Limit



- The tract is subject to a 25% impervious cover limit based on Net Site Area (NSA) as per the current Save Our Springs Ordinance (Ordinance No. 19920903-D)
- No basis for grandfathering as no project was permitted prior to the enactment of the Save Our Springs Ordinance
- The original restrictive covenant was not required and entered into by the parties voluntarily
- An applicable legal precedent has been provided to the City supporting the applicability of the Save Our Springs Ordinance
- Requested an appeal on the vesting rights, but was denied
- Any site development needs to comply with all current applicable laws and regulations including the Save Our Springs Ordinance

Non-Compliant with Hill Country Roadway Requirements



- The property is located on a Hill Country Roadway requiring 40% (excluding dedicated right-of-way) of the property to be left in a natural state as per Code § 25-2-1025
- Biofiltration, sedimentation, detention and retention basins appear to be included in fulfilling the 40% natural area requirement
- Code § 25-2-1025(A) states that *“At least 40 percent of a site, excluding dedicated right-of-way, must be left in a natural state. Natural areas within parking medians and in an area in which clearing is prohibited by Section 25-2-1023 (Roadway Vegetative Buffer) count toward this requirement”* does not provide for the inclusion of water quality and detention pond facilities in the 40% natural area requirement

Ryma Biederman

Site Plan Not Compliant with Zoning Requirements

Traffic Impact Analysis (TIA) Determination Worksheet

Applicant must complete this worksheet.

Project Name: Sunset Ridge Apartments

Location: 8509 Southwest Parkway, Austin, Texas 78735

Applicant: Bobak J. Tehrany, P.E. (BOE) Telephone No: (737) 301-2311

Application Status: Development Assessment Zoning Site Plan

EXISTING:								FOR OFFICE USE ONLY		
Tract Number	Tract Acres	Bldg. Sq. Ft.	Zoning	Land Use	I.T.E. Code	Trip Rate	Trips Per Day			
1	9.628	-	GO-CO-NP	Undeveloped						
2	9.996	1 du	GO-MU-CO-NP	Single Family Detached Housing	210	FCE	15			

PROPOSED:								FOR OFFICE USE ONLY		
Tract Number	Tract Acres	Bldg. Sq. Ft.	Zoning	Land Use	I.T.E. Code	Trip Rate	Trips Per Day			
1&2	19.624	428 du	GO-CO-NP GO-MU-CO-NP	Multifamily Housing (Mid-Rise)	221	FCE	1995			

ABUTTING ROADWAYS:				FOR OFFICE USE ONLY	
Street Name	Proposed Access?	Pavement Width	Classification		
Southwest Parkway	Yes (existing)				

FOR OFFICE USE ONLY

A traffic impact analysis is required. The consultant preparing the study must meet with a Transportation planner to discuss the scope and requirements of the study before beginning the study.

A traffic impact analysis is NOT required. The traffic generated by the proposal does not exceed the thresholds established in the City of Austin Land Development Code.

The traffic impact analysis has been waived for the following reason: _____

A neighborhood traffic analysis will be performed by the City for this project. The applicant may have to collect existing traffic counts. See a Transportation planner for information.

Reviewed By: AEHutchens Date: 10/20/2023

Distribution: File Cap. Metro TxDOT DSD Travis Co. ATD Total Copies: _____

NOTE: A TIA Determination must be made prior to submittal of any Zoning or Site Plan application, therefore, this completed and reviewed worksheet MUST ACCOMPANY any subsequent application for the IDENTICAL project. CHANGES to the proposed project will REQUIRE a new TIA Determination.

- Traffic Impact Analysis (TIA) conducted was based on 428-units while the current Planning Council application is 444-units
- The approved TIA determined 1,995 daily trips based on 428-units.
- The site plan has **444-units**, results **in 2,070 trips which exceeds to 2,000 daily trip threshold**
- Zoning Ordinance No. 20060727-113 states: *"A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previous authorized development and uses, generates traffic that exceeds 2,000 trips per day"*.
- Code § 25-6-113 also requires a Traffic Impact Analysis if the number of trips generated by a project exceeds 2,000 vehicle trips per day which has not been conducted
- Development Ingress and Egress has significant vehicle safety risks
- Planning Commission cannot proceed with approving the current site plan

Major Ingress and Egress Vehicular Safety Issues



Dangerous “Blind” Ingress and Egress



3 Seconds Later...

Large Number of Heritage Trees to be Removed



- Applicant previously stated that no heritage trees would be removed based on the site plan
- **13 Heritage Trees now planned to be removed based on the site plan** in addition to a large number of protected trees
- Code § 25-8-641 prohibits the removal of a Heritage Tree. A permit to remove a Heritage Tree may be issued only if a variance is approved under § 25-8-642 or § 25-8-643
- No demonstration has been provided that the 13 Heritage Trees to be removed is the minimum change necessary nor has it been demonstrated that sufficient mitigations have been provided as a condition of the variance approval
- No public process has been held for removal of Heritage Trees
- Given the large number of Heritage Trees that are planned for removal on this Hill Country Roadway land parcel, the Planning Commission should oppose this site plan